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Dated 10/15/07

  
Julia D. Williamson

Docket No.: FOT-10002/44  
(PATENT)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Timothy W. Foley

Application No.: 10/749,891

Confirmation No.: 8907

Filed: December 31, 2003

Art Unit: 3772

For: MOUTHGUARD AND METHOD OF  
MAKING THE MOUTHGUARD

Examiner: B. L. Jackson

### AMENDMENT IN RESPONSE TO NON-FINAL OFFICE ACTION

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

### INTRODUCTORY COMMENTS

In response to the Office Action mailed July 13, 2007, please amend the above-identified U.S. patent application as follows:

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Remarks/Arguments** begin on page 9 of this paper.